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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,002	10/09/2003	Hung Dao	18525-0792	7735
39943	7590	09/22/2005		
PHILIP G. MEYERS LAW OFFICE 1009 LONG PRAIRIE ROAD, SUITE 300 FLOWER MOUND, TX 75022			EXAMINER GURZO, PAUL M	
			ART UNIT	PAPER NUMBER
			2881	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/682,002	Applicant(s) DAO, HUNG	
	Examiner Paul Gurzo	Art Unit 2881	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flores et al. (2003/0136920).

Regarding claim 1, 11, and 16-18, 920 teaches a drop box for receiving mail pieces for collection and delivery by a postal service comprising an enclosure (30) having a slot sized for receiving mail pieces, a feeder (24) positioned inside the drop box for engaging and conveying mail pieces inserted into the slot, a detection device (16) disposed for measuring a physical property of a mail piece engaged by the feeder, which property is associated with potential contamination of the mail piece (paragraph 0033 - paragraph 0039 and Fig. 1). 920 also teaches a means for sterilizing the mail pieces (paragraph 0062). 920 does not explicitly teach a control system operable to take an action when a potentially contaminated mail piece is detected by the detection device. However, they teach an analyzing sub-system (14) that indicates that if a mail item contains potentially hazardous materials, the mail item is diverted from the transport stream of the transport system (22) by diverging mechanism (26) (paragraph 0040). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to take an action when a potentially contaminated mail piece is

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detected to ensure that the mail item is removed, thereby rendering the rest of the mail safe for handling.

Regarding claims 2-6 and 12, 920 teaches the diverging mechanism (26) and it will remove the mail from the incoming stream, achieving much the same result as reversing the feeder. A sensing means must exist in relation to the feeder because the feeder operates once it receives mail from the trays. 920 also teaches the use of an alarm signal (paragraph 0058).

Regarding claims 7-10, the detection device measures a physical property of the mail (paragraph 0033) and an algorithm is used to indicate potentially contaminated mail (paragraph 0010). 920 teaches a door (430) for closing the slot and a lock (460) for securing the door (paragraph 0041-0042 and Fig. 6A and 6B). 920 teaches the use of an alarm signal (paragraph 0058) and a means for capturing and recording an image of the individual mail pieces (paragraph 0052).

Regarding claims 13-15, 920 teaches the use of X-rays, lasers, and other means for sterilization (paragraph 0011) and it is well known in the art that lasers produce electromagnetic radiation.

Regarding claims 19 and 20, 920 teaches the use of an alarm signal (paragraph 0058) and the X-rays or laser sources will act to sterilize the interior of the drop box and its contents.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Pavie (4,601,396)

Takeda (6,627,540)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Gurzo whose telephone number is (571) 272-2472. The examiner can normally be reached on M-Fri. 7:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Lee can be reached at (571) 272-2477. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PMG



JOHN R. LEE
SUPERVISORY PATENT EXAMINER
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